

**REMARKS**

In accordance with the forgoing, claims 1, 7, 13 and 19 have been amended. Claims 1-24 are pending and under consideration.

**I. Rejections Under 35 USC § 103**

Claims 1-24 stand rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 5,944,744 to Paul et al. ("Paul") in view of U.S. Patent No. 6,275,734 to McClure et al. ("McClure"). Applicants assert that the claims of the present invention are patentably distinguishable and the rejection is respectfully traversed.

Claims 1, 7, 13 and 19 of the present invention are directed to measuring peak amplitudes of the cardiac cycle once detection criteria associated with detection or potential detection of a tachyarrhythmia episode are satisfied and associating the stored one or more peak amplitudes with subsequent delivery of a therapy in response to the tachycardia episode.

Paul teaches storing information regarding cardiac signals and transmitting the stored signals to an external programmer so that the physician can analyze the data and reprogram the sensing of the device to a suitable sensing threshold.

McClure teaches storing an electrogram signal in response to detecting an event, and downloading the stored signal to a programmer equipped with an emulator that allows the physician to review an emulation of the waveform that the processor of the implanted device is seeing when the processor is initiating the delivery of therapy.

Neither Paul nor McClure, alone or in combination, teach or suggest measuring peak amplitudes of the cardiac cycle once detection criteria associated with detection or potential detection of a tachyarrhythmia episode are satisfied and associating the stored one or more peak amplitudes with subsequent delivery of a therapy in response to the tachycardia episode, as set forth in the independent claims of the present invention. Therefore, the claims of

the present invention are patentably distinguishable from Paul. Accordingly, withdrawal of the rejection is respectfully requested.

**II. Conclusion**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this Amendment, the Examiner is requested to telephone the undersigned attorney to attend to those matters.

Respectfully submitted,

John S. Brandstetter et al.

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Date

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